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BEFORE THE  
ILLINOIS COMMERCE COMMISSION

House of Prayer	)	
(Tina Pettiford),	)	
	)	No. 14-0463
	)	
vs	)	
	)	
Illinois-American Water	)	
Company.	)	

Complaint as to inaccurate billing in  
Washington Park, Illinois.

Met, pursuant to notice, September 10, 2014,  
at 9:03 a.m.

BEFORE:

Stephen Yoder  
Administrative Law Judge

1 APPEARANCES:

2

3 Tina Pettiford  
4 House of Prayer  
5 5501 North Park Drive  
6 Washington Park, Illinois 62204  
7 3tina@sbcglobal.net

8

9 Appearing pro se;

10

11 Kenneth C. Jones  
12 Corporate Counsel  
13 Illinois-American Water Company  
14 300 North Water Works Drive  
15 Belleville, Illinois 62223  
16 618-239-3222  
17 kenneth.jones@amwater.com

18 Appearing on behalf of  
19 Illinois-American Water Company.

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26 Court Reporter:  
27 Jennifer L. Crowe, CSR  
28 Illinois CSR #084-003786  
29 Midwest Litigation Services  
30 15 S. Old State Capitol Plaza  
31 Springfield, Illinois 62701  
32 217-522-2211  
33 1-800-280-3376

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1 PROCEEDINGS

2 JUDGE YODER: By the authority vested in me  
3 by the Illinois Commerce Commission, I will now  
4 call docket 14-0463. This is a complaint filed by  
5 the House of Prayer (Tina Pettiford) versus  
6 Illinois-American Water Company, complaint as to  
7 inaccurate billing in Washington Park, Illinois.

8 Ms. Pettiford, would you state your name and  
9 address for the record, please?

10 MS. PETTIFORD: Yes. Tina Pettiford. My  
11 address here is 5501 North Park Drive, Washington  
12 Park, Illinois, 62204.

13 JUDGE YODER: Thank you. And for the  
14 company?

15 MR. JONES: Thank you.

16 MS. PETTIFORD: I'm sorry.

17 MR. JONES: Thank you, your Honor. For  
18 Illinois-American Water Company, Kenneth Jones.  
19 Address is 300 North Water Works Drive, Belleville,  
20 Illinois, 62223, and the phone number is  
21 618-239-3222.

22 JUDGE YODER: All right. Thank you.

23 Is there anyone else wishing to enter their  
24 appearance in this docket?

1           Let the record reflect no response.

2           First, Ms. Pettiford, were you starting to  
3 say something or add something to your appearance?

4           MS. PETTIFORD: No, I'm sorry. I thought  
5 you had asked me my company name.

6           JUDGE YODER: Oh. Well, why don't we get  
7 into that on the record. You filed this under  
8 House of Prayer and then your name.

9           Could you just indicate what the House of  
10 Prayer is or --

11          MS. PETTIFORD: House of Prayer To All  
12 Nations Church is the name. It is a church.

13          JUDGE YODER: Just to clarify, is this a  
14 count in your name or is it in the church's name,  
15 the House of Prayer?

16          MS. PETTIFORD: It is in the church's name.

17          JUDGE YODER: Okay. You are an officer for  
18 the church or --

19          MS. PETTIFORD: Yes, yes, I'm the chief  
20 administrator. My husband is the pastor of the  
21 church, and he took over in September of 2010.

22          JUDGE YODER: Okay. Thank you. Just so we  
23 have that on the record just to get the players on  
24 the table so I know who is, who is for what.

1 MS. PETTIFORD: Sure.

2 JUDGE YODER: Ms. Pettiford, you filed this  
3 formal complaint against Illinois-American  
4 regarding the water usage and bill associated with  
5 that. So I will go through the basic procedures  
6 that we use here at the Commission.

7 So we're here for the pre-hearing or status  
8 conference. It just gets the whole docket going so  
9 we have got everybody's appearances on file.  
10 Usually what we ask people to do at this point is  
11 to start their discovery process. You ask  
12 Illinois-American for any documents or anything  
13 like that or reports that they have. They also  
14 have the right to ask you for any relevant  
15 information regarding your complaint.

16 Usually we let the parties get about 30  
17 days, 30 days of that under their belt, and then  
18 what we usually do then in 30 days, we will have  
19 another status hearing. At that time usually the  
20 parties are done or close to done with their  
21 discovery.

22 Whose phone is that on or is --

23 MS. PETTIFORD: As a matter of fact, that's  
24 our doorbell.

1 JUDGE YODER: Are you back?

2 MS. PETTIFORD: I'm back.

3 JUDGE YODER: Okay. At the next status  
4 hearing, because you are the complainant, you have  
5 the obligation to go first with your evidence, then  
6 Illinois-American has the right to respond to your  
7 evidence and provide their evidence in this  
8 proceeding. Because you have the burden of proof,  
9 you also have the ability to go last.

10 So generally in these types of cases we'd  
11 have you file your direct testimony which is  
12 written testimony from you and any other witnesses  
13 that you have and provide any evidence that you  
14 have, if it is copies of the water bills, if it is  
15 any -- whatever it is, any testimony, if there is  
16 other people at the church. So whatever you have,  
17 you provide that in the direct testimony part.

18 Here at the Commission we use prefiled  
19 testimony where you would write out in a narrative  
20 form or in a question and answer form your  
21 evidence.

22 Then after you file that, and  
23 Illinois-American has a couple of weeks, three  
24 weeks to review that, they then file their direct

1 evidence, their direct testimony providing evidence  
2 from any of their witnesses.

3 Then after that is filed you have a couple,  
4 three weeks to review that and then file your  
5 rebuttal testimony. That doesn't bring in new  
6 testimony, that only responds to anything that  
7 Illinois-American has raised in their direct  
8 testimony.

9 So do you understand that basically so far?

10 MS. PETTIFORD: Yes, uh-huh.

11 JUDGE YODER: Okay. Then after everybody  
12 has got their testimony on file, that is when we  
13 have the evidentiary hearing. At that hearing you  
14 put in your direct testimony and rebuttal testimony  
15 that you have prefiled, Illinois-American puts in  
16 their testimony, and then each party has the right  
17 to cross-examine the other party's witnesses.

18 MS. PETTIFORD: Okay.

19 JUDGE YODER: And then after the hearing we  
20 will -- at the hearing we will discuss the parties'  
21 filing briefs and then an order, a proposed order  
22 gets issued, and then the parties get a chance to  
23 respond to that proposed order.

24 All right. So at this point do you have any

1 questions about the basic procedure that we follow  
2 at the Commission?

3 MS. PETTIFORD: Yes, I do, sir, yes.

4 JUDGE YODER: You have a question or --

5 MS. PETTIFORD: Yes, I do have a question.

6 JUDGE YODER: Okay. Go ahead.

7 MS. PETTIFORD: Okay. So 30 days, you say  
8 we meet again in 30 days. So from that time point  
9 I am to get all my -- write up everything which I  
10 had already wrote into the office of the  
11 Commission, but so now I take time to get my  
12 evidence ready. I pretty much have all of my  
13 evidence in letters to respond back to this. So if  
14 that's the case, in the meanwhile I don't do  
15 anything until 30 days, and I would get a -- we use  
16 the same call-in number, pass code, all of that.

17 JUDGE YODER: Well, you are getting a little  
18 ahead of it. The company arranges the call-in  
19 number so that they don't have to drive up here,  
20 and then as a courtesy also you don't have to drive  
21 up here. So it is up -- I don't know whether it  
22 will be the same number or it will be a different  
23 number, but Mr. Jones, I presume he will want to  
24 have a telephone conference for the next hearing.

1 He will send out what that number is.

2 MS. PETTIFORD: Well, the last time I was  
3 relying on Mr. Jones to receive the pass code, and  
4 I never did, so --

5 JUDGE YODER: I understand you have that. I  
6 know it was sent out because I had the email, but  
7 in any event, we are past that. We are all here in  
8 the hearing room.

9 So what I indicated between now, for the  
10 next 30 days, you can start working on your  
11 testimony, getting your evidence and testimony  
12 together, but it also gives you and the company the  
13 opportunity to exchange discovery requests from  
14 each other.

15 They may say -- I don't know what they will  
16 ask, but you may ask for, you know, formal copies  
17 of your bills or whatever it is.

18 MS. PETTIFORD: Okay.

19 JUDGE YODER: If you don't have those. So  
20 you each have the opportunity to request evidence  
21 or discovery from the other people. It is not  
22 evidence until one of you puts it into the record  
23 and it is admitted.

24 MS. PETTIFORD: Okay.

1 JUDGE YODER: But, I mean, you can certainly  
2 use that time to start working on your testimony,  
3 but it wouldn't be due in 30 days. We will  
4 determine when it is due at the next status  
5 hearing.

6 MS. PETTIFORD: Okay.

7 JUDGE YODER: Doesn't hurt to start working  
8 on it now, but we are not going to set a date for  
9 it to be filed yet. All right?

10 MS. PETTIFORD: Sounds great. Sounds great.

11 JUDGE YODER: So with that understanding of  
12 our basic process here and that you and the company  
13 should each start your discovery requests with each  
14 other, I assume Mr. Jones just wants those to come  
15 to him?

16 MR. JONES: Yes, your Honor.

17 JUDGE YODER: And we -- since you are a pro  
18 se complainant, we try and make it amenable for you  
19 to get whatever you need and the company, also for  
20 them to get what they need. So in 30 days, that  
21 would be about October 8th I think, 8th or 9th.

22 Do either of those work for you, or October  
23 7th, 8th or 9th?

24 MS. PETTIFORD: October 7th, 8th or 9th? Is

1    there any way we can do it the following week?  The  
2    reason why, we are going out of town for the  
3    whole --

4           JUDGE YODER:  Sure we could.  We have  
5    October 14th, 15th or 16th.  Well, October 14th is  
6    available and October 15th in the morning.  The  
7    rest of the week I have an evidentiary hearing.

8           MS. PETTIFORD:  Okay.  October 14th sounds  
9    good.

10          JUDGE YODER:  That works for you.  Anytime  
11   that day?

12          MS. PETTIFORD:  Yes, uh-huh.

13          JUDGE YODER:  Okay.  Mr. Jones, does that  
14   work for you?

15          MR. JONES:  Yes, your Honor.  Just to  
16   clarify, is that the next status?

17          JUDGE YODER:  That would be a status  
18   hearing.

19          MR. JONES:  Okay.  Sure.

20          JUDGE JONES:  Would 9:00 work for both of  
21   you?

22          MS. PETTIFORD:  Yes, uh-huh.

23          MR. JONES:  Yes.

24          JUDGE YODER:  Okay.  We will continue this

1     matter to October 14th at 9:00, and I'll have a  
2     notice sent from the clerk's office to both of you  
3     for that.

4             You can start working on any discovery that  
5     you want from the company, and you can start  
6     working on your testimony, but we don't have a due  
7     date for it yet.

8             Mr. Jones, I assume you will be requesting  
9     to do this telephonically?

10            MR. JONES: Yes, your Honor.

11            JUDGE YODER: Okay. So Mr. Jones will send  
12     out a telephone call-in number. Look for that in  
13     your email.

14            MS. PETTIFORD: Sure.

15            JUDGE YODER: If you don't have it before  
16     the 14th, you might send him an email. Send  
17     Mr. Jones an email. You should have his email  
18     also.

19            MS. PETTIFORD: Yes, I do.

20            JUDGE YODER: And just inquire of it if you  
21     have not gotten it for whatever reason, okay?

22            MS. PETTIFORD: Okay. Sure enough.

23            JUDGE YODER: Okay. So with that  
24     understanding, do you have anything further that

1     you want to go over today, Ms. Pettiford?

2             MS. PETTIFORD:  No, your Honor.

3             JUDGE YODER:  Okay.  Anything further from  
4     the company?

5             MR. JONES:  Yes, your Honor, just one  
6     request in connection with the call.  We could use  
7     the same call-in number for the October 14th  
8     hearing, and as the Commission did in the last  
9     notice, could that number be included in the  
10    notice?

11            JUDGE YODER:  Sure, I can do that.  Okay.  
12    So keep anything that you have with this number on  
13    it, Ms. Pettiford, but I will also have it included  
14    in the notice from the chief clerk.

15            MS. PETTIFORD:  Okay.

16            JUDGE YODER:  All right, then.  Thank you.  
17    I will talk to you on October 14th.

18            (Hearing continued to October 14th, 2014.)

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CERTIFICATE OF REPORTER

I, JENNIFER L. CROWE, a Certified  
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thereafter reduced to typewriting under my  
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